



King County

Department of Development
and Environmental Services

900 Oakesdale Avenue Southwest
Renton, WA 98055-1219

December 10, 2002

TO: King County Citizens and Interested Parties

FM: Stephanie Warden, Director Designee

RE: Critical Areas and Stormwater Ordinances

King County is requesting your review and comment on proposed revisions to King County's environmental and stormwater regulations. Join us at one of several forums to hear about the proposals. Share your thoughts with us at public meetings, review the ordinances on the Internet, or call us.

Our public discussions on these critical matters will shape our final decisions. We encourage your participation. Join us and let us hear from you.

It is important to note that the revisions under discussion would generally apply only when new development occurs, for example, when a property owner proposes to construct a new home or subdivide a lot. Most activities that were legally established and that do not result in an expansion of a current use will not be affected by these ordinances.

The proposed revisions to the Critical Areas Code (currently called the Sensitive Areas Code) are designed to implement the King County Comprehensive Plan and Washington's Growth Management Act.

Since King County last undertook a major evaluation of its environmental regulations, state and federal laws have changed. We are now required to base our regulations on the best available science. In addition, the federal government has listed Chinook salmon and bull trout as threatened species under the Endangered Species Act. The County and its citizens must avoid harm to these listed species. These proposed regulations also address new standards for stormwater management required by the federal Clean Water Act.

Overall, these proposals take into consideration the current state of science and what is necessary to protect the functions and values of critical areas. At the same time, these proposals balance our goals for encouraging urban density and providing for affordable housing and economic development.

These proposed ordinances integrate several different county laws into a uniform regulatory structure, making it easier for the public to know what is required to avoid unnecessary delays in the permitting process. It will also lead to better environmental protection. Where feasible, the proposals include alternative approaches for compliance.

The proposed ordinances also include elements designed to reduce the impact of the regulations on property owners. For example, in order to control stormwater runoff, one proposal requires a rural residential property owner who applies for a building permit to retain 65 percent of the property in native vegetation or open space. If the property owner agrees to replant already cleared areas, he or she can lower the amount of area that would be required to be retained as open space.

King County will also be implementing technical assistance programs to assist those who are affected by this proposal. One proposal would require farmers to keep a grass buffer between their fields and any streams. This proposal will be phased in over a five-year period. The County will provide technical assistance and work with the King Conservation District to assist farmers in meeting these requirements.

The proposals also incorporate parts of two prior proposals that were subject to extensive public review. One is the Sensitive Areas Ordinance update, proposed in 1998, which addressed a number of procedural and implementation issues in the Sensitive Areas Code. The other is the Site Alterations Ordinance, proposed in 1999, which updated the County's clearing and grading regulations. These proposals have been prepared through a joint effort of three King County departments: Development and Environmental Services (DDes), Natural Resources and Parks (DNRP), and Transportation (DOT).

The proposed ordinances will be reviewed and discussed at a series of public meetings at which the public is encouraged to ask questions and give input. Additional information on the proposed ordinances can be obtained on the Internet at www.metrokc.gov/ddes/cao, where you will find summaries and more detailed information on the specific elements of the proposals. Discussion papers on some of the issues presented by these proposals will be available the week of December 23. Written comments should be directed to: Critical Areas/Stormwater Ordinances, 201 S Jackson St., Suite 600, Seattle, WA 98104, or via e-mail to: cao-stormwaterupdate@metrokc.gov. You may also call the Critical Areas Ordinance message line at (206) 205-3888, toll free at 1-866-434-0318.

Public comment will be accepted through February 28, 2003*. The County departments will evaluate public comments and make a recommendation to the King County Executive on how to proceed. We anticipate that the Executive will transmit his proposals to the King County Council in late May*. After the proposals are transmitted to the King County Council, there will be additional opportunities to comment.

We look forward to a lively and informative discussion on the issues included in these proposals. This is the time for your comments, input and suggestions to help shape these vitally important environmental policies and to keep our County critical areas safe and healthy today and in the future.

Thank you for your assistance.

*Extension granted and dates revised in January 2003.